

October-10-2017

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.  
★ OCT 13 2017 ★  
4:00 PM  
BROOKLYN OFFICE

TO; Clerk of court, Brian M, Cogan 17-CV-1767

From; Melvin Baez, Plaintiff.

I respectfully urge this court to reconsider, the decision, an, order, as the court is missitating, the case, as in prior and present, civil claim, that court officers, did fabricate that I head butted, court officer Thomas Capriola, and Wifredo Ramos, James Aroujo, and all. The defendant is filing a claim as we speack, I was sent to court last week, in which stopped me from finishing motion on the false assault charge, in which there is "Video" servalence and witnesses that supports that the, plaintiff, did not committ the acts alleged, and which supports a consti-tutional violation of the 8th amendment and 14th amendment, as court officers did knowingly file false reports and committed excessive force, on the plaintiff, as the plaintiff expressed, to the court the conduct, that, the police fabricated there story. The plaintiff only plead guilty, as to move on despite, that, I have evidence showing the charges the defendant, was found guilty was fabricated by the police, Mark Lewis, and officer, lin, there is evidence supported by the record and police reports showing the police fabricated the place of arrest by 8 blocks there probable, cause to stop the vehicle, and there post, and a observation of DUI, as it was all fabricated by the police, on 2-4-2014, In further officers did fabricate, officers at the scene that was not there. The court is missitat-ing the evidence, and that I plead, and that I have prior violence in my record my last violence was 18 years ago, prior then after that, there, was no further violence. In further on the defendants case before you, you witnessed officers committ numerous acts of perjury, and still found, them credible, as ther was no probable cause to come to my apartment as,

as no warrent was obtained for my arrest, and the case was later dismissed, as the defendant did not stab anyone, or ever new the complainants, and the fact that the police fabricated how thay found the weapon, as your, honor had the grand jury minutes of officer Majuri and officer, odonnell, who fabricated that officer odonnell observed me throw a bag out the window, that was Majuris claim in a police report, officer odonnell who testified, before the grand jury said under oath, that he did not see, who threw a bag, out the window, as this court had copys of there reports and still found, the officers credible, in further as the defense had copys of the defendants, phone bill that shows, the gun could not have been found before the defendant, was arrested, as phone bill shows the defendant was never searched, and was making phone calls from cell area, in the 68 precinct, court still found, the officers credible in all respects, its mind bothering how officers, under oath committ numerous acts of perjury, and nothing happens to them, in fact on excessive force, after majuri kicked me when cuffed, and officer in front of this honorable court, had copys of reports by Majuri, and officer, in his report said I resisted arrest, to cover the facts of the case, and under oath when asked if I resisted arrest he said no, under oath, court witnessed the perjurious act and still found officer credible, in all respects. The defendant abondoned the claim, as he was working, and could not miss a day as the defendant was a maneger in a construction sight, the defendants did committ perjury and excessive, force, the court also did, see , picture proof of a eye injury, when officers under oath did witness the conduct and majuri flat out and said he saw no injury. The court is, ignoring the facts that the police lie and thay filed false reports, I plead guilty as there is no justice, the police could lie and get away, with it as we see on the news every day, police killing people and children, and nothing is done, that is not justice. The court in this case, on court officer committing excessive force, said that I head butted and attempted, to attack the prosecutor, as the claim is false before you read the probation report, and the complaint filed by the court officers, court officers, Thomas Capriola, told P.O Mitcheal Powell that in the court room during the floor, schuffle, I head butted thomas capriola, in court room, now in the complaint filed by thomas capriola the deponent, he said that in the "Annexed corrections while standing behind him I head butted, the court officer, the annexed corrections, is outside the court room cell area, now see, the perjury thay committed, in fact we have "Video" servalence, and eye witnesses who observed that I did not committ the acts fabricated by court officers,

in fact the video from the annexed corrections shows I did not head butt, any one, in the annexed corrections, In fact Murray E, Singer, Esq did, witness that I did not attempt to attack any one or resist after, I verbally asked the court how could, he find me guilty of possession, as the the facts show, the officers fabricated there story. I can show this, honorable court that supported by the record officers fabricated the , charges, as I impeached the officers on the stand. In fact there is a witness that officer Mark lewis planted drugs on him, and hes willing to testify to that as the case was dismissed, there is evidence of officer, stageing the place of arrest, if drugs was found why fabricate place of, the arrest in fact officer in one report said he found, 4oz, than 9g, then 18,g then lab said 5.5 g and that the evidence dont match, as the facts show police filed false reports,.

In fact on the fabricated reports by court officers, James Aroujo is Ex police officer, he was fired after committing excessive force on suspects, and filing false reports, in fact he fabricated to ADA, Katlynn Flynn, that he sustained injurys after I held his arm, thats false ask Murray, E, singer who saw I did not commit such acts, In fact while Aroujo was, in the hospital he told medical personell that his arm got cout in the, door, while people was pushing on it, and further hours later he told, medical personell that he is a police officer that his arm was cout, in the door while apprehending a suspect,, in fact "Video" servalence of the Aneexed corrections, shows no such act, it shows James Aroujo Fabricating, a injury, as his injury is coused by him trying to breack my arm as I, tried to cuff, in court, ask Murray E, Singer, I laid flat on the ground, not resisting and not holding no arm of James Aroujo. The Court should, reconsider, not dismissing the claim, I am typing a Claim as we speak, I was in court last week, October, 1st till October 8th 2017, I was in ulster, I had no chance to go to law library and state a claim, in fact I was, waiting for the courts responce, as I was typing my claim. The court, further agreed that I did not recieve, copys, in fact ask your clerk I, sent copys and letters, that showed I did advise the court that I was in your custody federal, court and at rikers, I sent about three letters, In fact at the time this court rendered a decision, that I had 20 days to state a claim I was in you custoday for one month and two weeks awaiting, violation of parole, see court calender in support, in fact your clerk, did recieve my letter sent while in federal custody and, o.b.c. c rikers,

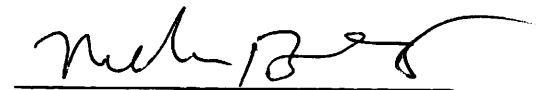
I returned no "notice was sent to me", it is not my fault, as Claim would, have been timely filed if I was sent a notice by clerk of court, your, honor if you see the docket sheet, you will see I sent letters to this honorable court, see docket sheet reflecting. In fact I did not willfully disregard the courts order, the court did agree that I did not receive, a timely notice, the clerk of court is clearly aware that I did send, several notices of my whereabouts. In fact I did show this court that, it was not my fault, as I did not receive such notice. I respectfully, request time to state a claim, I am typing as we speak, a constitutional violation should not be dismissed. In fact it was clear error on the court for not sending me proper notice, your honor clerk of court did, in fact receive my notice of change of address. In fact, see Exhibit(a), attached, showing for a fact, that on August 12th 2017, and prior, I sent proper notice, the court ruled "However, the court has no record of receiving any such a letter, or any letter advising of his new address." It is clear that clerk of court is not filing the proper paper work sent, by me, as prior to that clerk of court sent me a wrong docket report from, another pro-se litigant, the clerk of court may have filed my letters in, another persons file, as is the reason the court has no record, of my, prior letters advising the court of my new address. see attached exhibit, stamped and received to clerk of court on August, 16, 2017, sent by me, on August 12, 2017. The court should investigate, and have the clerk re check, her or his file for errors, in filing properly, the persons on who files, to clerk of court, as there may be many errors, as fault of the clerk not filing the proper paper work on the persons, filing in this court, as the plaintiff did send proper notice on each movement, so that what occurred, here would not happen. The plaintiff did follow proper procedure, as if the plaintiff received proper notice, the Amendment would have been timely, filed as , the court overlooked, matters, as there is manifest an injustice, the clerk did miss multiple letters, as is a fact, as the court did state, that there is no record, of the letters, filed, twice, and more, the clerk filed letters, wrongly, the court ruled further that its impossible when, the facts show its a fact, that clerk of court has not filed the proper, letters in the proper place, and for what plaintiff, one clerk sent the, wrong persons habeas corpus, motion to me two, the clerk did not file, that I sent about three letters, showing my whereabouts, as its very possible, supported by my letter, that clerk of court, erred in filing papers properly,

to this honorable court the court should further investigate, as I may not, be the only litigant pro-se, that your clerk has erred in filing the proper, paper work, as the litigant, that clerk sent wrong documents was in federal custody "odisville corrections". In further the claim has merit, as to, succes, as there are facts, to support the claim, there is video and, of witnesses who viewed the opposit, as the court officers fabricated, there reports, the charges filed was based on, prosecutor withholding exculpatory, evidence, that had the grand jury viewed the video servalence of the annex, corrections, and herd testimony of Murray E, Singer, and Mother of the, plaintiff, who all saw that I did not attempt to hit the prosecutor, and, the fact that I did not headbutt, or hold anyones hand as Thomas capriola, and james aroujo fabricated with Wifredo Ramos, herein is a copy of the, complaint filed by thomas capriola, filed on 2-17-2017 day after the, fabrica- ted incident, see probation report prepared by P.O Mitchael Powell. the deponent recalls getting headbutted during the "floor schuffle in the court" room( Thomas Capriola) he told P.O Mitchael powell), The complaint by, the deponent , (Thomas Capriola) , DEPONENT FURTHER STATES THAT ONCE IN THE, "ANNEX CORRECTIONS AREA" while "STANDING BEHIND THE DEFENDANT", WITH THE DEFENDANT FACING AWAY FROM HIM, THE DEFENDANT SWUNG HIS HEAD BACK STRICKING THE DEPONENT IN THE RIGHT SIDE OF HIS HEAD AND FACE. see Complaint, and see, Probation report, I will send a copy to this Honorable court, so you can see that the facts show, court officers filing false reports to cover, the facts that thay committed excessive force and filed false reports to, cover the facts.as thay committed perjury. Your Honor the facts is clear, my constitutional rights of the 8th Amendment and 14th Amendment has been, violated,. The court further alleged that I am violent that is incorrect, my last violent was 18 years ago, I do not blow up in rage. as this court is misittatting. I am amending mv complaint, its the courts clerk error, that is thea reason the amendment was not filed, I did not intentionally disreg- arded the courts order. I respectfully request that I be allowed to, Amend, my claim, the facts will show, the conduct alleged, I will not abandone this, claim, I have sавere injurys to my arm, and hand fingers as a result, in fact call C.C.R.B, and I.A.B and obtain a copy of James Aroujos file, as he is a ex police officer and was banned by the force for filing false reports and committing excessive force, against suspects, read the compplaint, and probation report, and talk to Murray E, Singer, as he saw that I did not, committ such acts, supported by Video servalence of Aneexed corrections, and police reports prepared fabricated by court officers James Aroujo did

to collect workers comp, as that is illegal to file false reports, he is the only one who went to the hospital, fabricating a injury. In fact the complaint filed by James Aroujo alleged injurys to arm when report to, Ms Poweell alleged arm hip, and knees. Your Honor there is merit, the, facts is clear, it is against the law to file false reports, if you held, me in my prior case, acording to the law, then every one is entittled to equal protection of the law, just becouse thay are, court employees does, not give them the right to file false reports, I will support every fact, with solid proof, call Murray he will tell you I did not hit Anyone or , attempted to. I will send a copy of the video of the "Annexed corrections" which is out the court room herein is copys of my medical reports as well, the court officers did conduct the acts it makes sense, as I only verbally, explained to the court, that the police fabricated there story here is copy, of a news report where two police officers was cout lieing under oath, in, the same area, as the police fabricated in my case. Guybrewer and linden, In fact I was arrested at Sutphin and linden. I respectfully request for you, to reconsider, the police do lie, your Honor, thay do file false reports, herein is the reports, video will be sent soon for your view.

Dated 10,th day of October, 2017

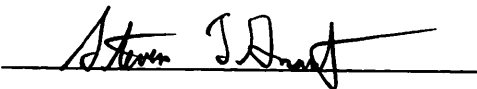
Respectfully Submitted



Melvin Baez, Pro-Se

SWORN TO ME BEFORE THIS

10<sup>th</sup> day of October, 2017



**Steven T. Grant**

NOTARY PUBLIC, State of New York  
St. Lawrence

No. #01GR6330704

Commission Expires September 21, 20 19

August-12-2017

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT S.D.N.Y.

★ AUG 16 2017 ★

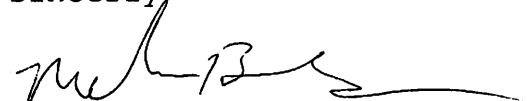
**BROOKLYN OFFICE**

TO; Clerk of the court before Hon Brian M. Cogan

From; Melvin Baez, 17-CV-1767

I write this honorable court to establish my new address,  
and that I am in process in obtaining a attorney to handle the  
Civil claim of "Excessive force" and the filing of false reports  
and malicious prosecution, as I previously stated the court officers  
fabricated that I assaulted to cover up there misconduct that was  
conducted on me in violation of the 4th Amendment and the 8th Amendment  
of the constitution. My new attorney will be amending the claim  
and further stating a claim under 1983 rules.

Sincerly



Melvin Baez

OGDENSBURG CORRECTIONAL FACILITY  
ONE CORRECTION WAY  
OGDENSBURG, NEW YORK 13669-2288

NAME: Melvin Baez DIN: 17-R-1678

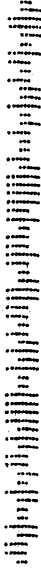
SYRACUSE  
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PM 2:1

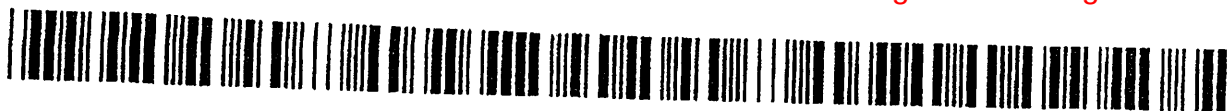
U  
S  
M  
S

TO; Clerk of U.S District Court  
Eastern District of New York  
225-Cadmen Plaza East  
Bklyn N.Y 11201

(LEGAL MAIL)

11201-181803





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MELVIN,BAEZ Q17800093

Q17800093

CRIMINAL COURT OF THE CITY OF NEW YORK  
PART APAR, COUNTY OF QUEENS

CR-006620-17QN



-----X  
THE PEOPLE OF THE STATE OF NEW YORK

vs.

State of New York  
County of Queens

BAEZ MELVIN (39Y)  
07464973L

Defendant

-----X  
Court Officer THOMAS CAPRIOLA of Queens Supreme Court, Tax Reg#: 746500, being duly sworn, deposes and says that on or about February 16 2017 between 3:40AM and 3:45AM, inside of 125-01 QUEENS BOULEVARD K-24 (QUEENS COUNTY SUPREME COURT), COUNTY OF QUEENS, STATE OF NEW YORK, the defendant committed the offenses of:

PL 120.05-3 (EFF. 11/1/2016) [DF] ASSAULT IN THE SECOND DEGREE -  
(DNA sample required upon conviction) (3 counts)  
PL 195.05 [AM] OBSTRUCTING GOVERNMENTAL ADMINISTRATION IN THE  
SECOND  
DEGREE - (DNA sample required upon conviction)

PL 120.05-3 (EFF. 11/1/2016) [DF] ASSAULT IN THE SECOND DEGREE - (DNA sample required upon conviction) (3 counts)

--- with intent to prevent a peace officer, a police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, a firefighter, including a firerighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, or medical or related personnel in a hospital emergency department, a city marshal, a school crossing guard, appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer or traffic enforcement agent, or employee of any entity governed by the public



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MELVIN,BAEZ Q17800093

service law in the course of performing an essential service, from performing a lawful duty, by means including releasing or failing to control an animal under circumstances evincing the actor's intent that the animal obstruct the lawful activity of such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer or traffic enforcement agent, or employee of an entity governed by the public service law did cause physical injury to such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician or medical or related personnel in a hospital emergency department, city marshal, school crossing guard, traffic enforcement officer or traffic enforcement agent or employee of an entity governed by the public service law;

PL 195.05 [AM] OBSTRUCTING GOVERNMENTAL ADMINISTRATION IN THE SECOND DEGREE - (DNA sample required upon conviction)

-- a person is guilty of obstructing governmental administration when he intentionally obstructs, impairs, or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function, by means of intimidation, physical force or interference, or by means of any independently unlawful act, or by means of interfering, whether or not physical force is involved, with radio, telephone, television or other telecommunications systems owned or operated by the state, or a county, city, town, village, fire district or emergency medical service or by means of releasing a dangerous animal under circumstances evincing the actor's intent that the animal obstruct governmental administration..

The above offenses were committed as follows:

→ Deponent states that at the above mentioned <sup>//</sup>time, <sup>//</sup>date, and <sup>//</sup>place of occurrence, he observed the defendant, Melvin Baez, appearing before the Honorable Judge Gene Lopez for sentencing in connection with Queens County Indictment #: 3168/2014.

→ Deponent further states that when the defendant was sentenced he became angry, threw papers into the air, stated in sum and substance, fuck this, and attempted to overturn defense counsel's table.

Deponent further states that the defendant <sup>//</sup>turned <sup>//</sup>to his left <sup>//</sup>and moved <sup>//</sup>one step <sup>//</sup>in the



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MELVIN, BAEZ Q17800093

direction of defense counsel and the prosecutor.

Deponent further states that he placed his hands on the defendant to secure him and felt the defendant tense his body and refuse to move.

Deponent further states that the defendant then began to move his arms and body preventing the deponent and approximately two additional court officers from gaining control of said defendant.

Deponent further states that the defendant rolled to the ground where he again refused to comply with orders to stop resisting and continued to prevent himself from being handcuffed.

Deponent further state the defendant was removed from the courtroom and taken to annex corrections and during this time he continued to struggle and prevent approximately five to six Court Officers from keeping him under control.

Deponent further states that once in the annex corrections area while standing behind the defendant with the defendant facing away from him, the defendant swung his head back striking the deponent in the right side of his head and face. Deponent further state that the above mentioned actions of the defendant caused him to suffer swelling to his head and face, knee, and hip as well as substantial pain.

Deponent is further informed by Court Officer Wilfredo Ramos that the above mentioned actions of the defendant caused him to suffer bruising and substantial pain to his knee.

Deponent is further informed by Court Officer James Araujo that the above mentioned actions of the defendant caused him to suffer bruising and swelling to his arm as well as substantial pain.

Deponent further states that because of the defendants above mentioned actions the defendant had to be removed from the above mentioned courtroom prior to the natural conclusion to the above mentioned proceedings.

(a) Court officer was [illegible] the jury.



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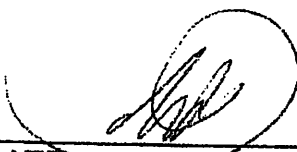
MELVIN,BAEZ Q17800093

FALSE STATEMENTS MADE IN THIS DOCUMENT ARE  
PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT  
TO SECTION 210.45 OF THE PENAL LAW

2/17/17 

DATE SIGNATURE

SWORN TO BEFORE ME ON THE  
DAY OF

  
DATE SIGNATURE

2-17-17 AR1  
HON. PANDIT-DURANT  
OCR APICELLA

Baez, Melvin (MR # 4141890)

Encounter Date: 02/16/2017

NYC  
HEALTH+  
HOSPITALS

Queens Emergency Department

Name  
Queens Adult ED

Address  
82-68 164th Street  
Queens NY 11432

Phone  
718-883-3000

## General Emergency Department Discharge Instructions

We appreciate that you chose us as your healthcare provider.

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit please call us at the included phone number above on this form. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

## Melvin Baez

### Treatment Team

You were seen by Ibis Yarde, MD and Andress Pierre-Louis, PA.

### Diagnoses this visit

Your diagnoses were ARM INJURY, RIGHT, INITIAL ENCOUNTER and FINGER PAIN, LEFT.

### Procedures and tests performed during your visit

CT humerus right without contrast  
DX hand left PA and lateral  
DX hand right PA and lateral  
DX humerus right AP lateral

## Home Medication Information

This list of your home medications is based on the information provided by you (or your representative) during your Emergency Department visit, and/or the information contained in your medical record. In addition, some of your home medications **may have been changed** by the Emergency Department provider who evaluated you. These changes **may** include:

- New medications
- Changes to the amount or how often you take a medication
- Discontinuation of a medication

Please review the information below carefully. **If you have questions about any of the medications or the changes, please contact your Primary Care Physician, the Provider who prescribed the medication, or your Pharmacist.**

## Medication List

### Notice

You have not been prescribed any medications.

### Medication You Were Given During Your Visit

oxyCODONE-acetaminophen 5-325 mg 1  
tablet (for:PERCOCET)

Baez, Melvin (MR # 4141890)

Encounter Date: 02/16/2017

## Medication You Were Given During Your Visit (continued)

### Your Treatment Plan

The treatment you have received during your visit was provided on an **emergency basis only** and is not meant to be a replacement for ongoing medical care. The information provided in these discharge instructions, **including follow up information**, should be followed in order to ensure proper treatment of your condition.

### Discharge Instructions

Provider: **Andress Pierre-Louis, PA**

**Follow up with an orthopedist and a hand surgeon for further evaluation. If you develop any concerning symptoms, return to the Emergency Department right away for evaluation.**

#### Contusion

A contusion is a deep bruise. Contusions happen when an injury causes bleeding under the skin. Symptoms of bruising include pain, swelling, and discolored skin. The skin may turn blue, purple, or yellow.

#### HOME CARE

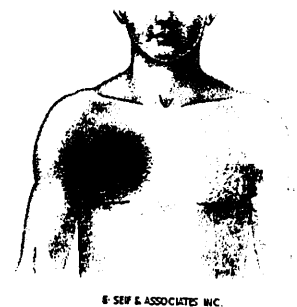
- Rest the injured area.
- If told, put ice on the injured area.
  - Put ice in a plastic bag.
  - Place a towel between your skin and the bag.
  - Leave the ice on for 20 minutes, 2-3 times per day.
- If told, put light pressure (*compression*) on the injured area using an elastic bandage. Make sure the bandage is not too tight. Remove it and put it back on as told by your doctor.
- If possible, raise (*elevate*) the injured area above the level of your heart while you are sitting or lying down.
- Take over-the-counter and prescription medicines only as told by your doctor.

#### GET HELP IF:

- Your symptoms do not get better after several days of treatment.
- Your symptoms get worse.
- You have trouble moving the injured area.

#### GET HELP RIGHT AWAY IF:

- You have very bad pain.
- You have a loss of feeling (*numbness*) in a hand or foot.
- Your hand or foot turns pale or cold.



This information is not intended to replace advice given to you by your health care provider. Make sure you discuss any questions you have with your health care provider.

Document Released: 06/05/2009 Document Revised: 09/07/2016 Document Reviewed: 05/04/2016  
Elsevier Interactive Patient Education ©2016 Elsevier Inc.

### Discharge References/Attachments

None

### Instructions on MyChart Enrollment

Thank you for enrolling in MyChart. Please follow the instructions below to securely access your online

Baez, Melvin (MR # 4141890)

Encounter Date: 02/16/2017

### Instructions on MyChart Enrollment (continued)

medical record. MyChart allows you to send messages to your primary care (clinic) doctor, view your test results, renew your prescriptions, schedule appointments, and more.

#### How Do I Sign Up?

1. In your Internet browser, go to **mychart.nychealthandhospitals.org**.
2. Click on the **Sign Up Now** link in the New User box.
3. Enter your MyChart Activation Code exactly as it appears below. You will not need to use this code after you have completed the sign-up process. If you do not sign up before the expiration date, you must request a new code.

MyChart Activation Code: 3TC6S-8SGPR-PJ8ZE

Expires: 8/16/2017 12:17 AM

4. Enter your Zip code and Date of Birth as indicated and click **Next**. You will be taken to the next sign-up page.
5. Create a MyChart username. Think of one that is secure and easy to remember.
6. Create a MyChart password. You can change your password at any time.
7. Choose a security question, enter your answer, and click **Next**. This can be used at a later time if you forget your password.
8. Select your communication preference. Enter a valid e-mail address to receive e-mail notifications when new information is available in MyChart.
9. Click **Sign In**. You can now view your medical record.

#### Additional Information

If you have questions, you can e-mail [mychart@nycchc.org](mailto:mychart@nycchc.org), to contact our MyChart staff. Remember, MyChart is NOT to be used for urgent needs. For medical emergencies, dial **911**.

Baez, Melvin (MR # 4141890)

Encounter Date: 02/16/2017

Imaging Results (continued)

Right Hand Radiographs

Technique: 3 views were obtained.

History: Pain.

Comparison: None available.

Findings: There is no evidence of acute fracture or dislocation. No erosive change is seen. The joint spaces are preserved. No concerning lytic or blastic osseous lesion.

**DX humerus right AP lateral (Final result)**

Result time: 02/16/17 18:39:11

**Final result by Daniel Simon, MD (02/16/17 18:39:11)**

Impression:

IMPRESSION: NO RADIOGRAPHIC EVIDENCE OF ACUTE FRACTURE OR DISLOCATION. FOLLOW UP AS CLINICALLY INDICATED.

Narrative:

Right Humerus Radiographs

Technique: 2 views.

History: possible torn bicep.

Comparison: None available.

There is no evidence of acute fracture or dislocation. There is no periostitis or osseous lesion.

Baez, Melvin (MR # 4141890)

Encounter Date: 02/16/2017

**Baez, Melvin #4141890 (Acct:1000012753263) (39 y.o. M)**  
**PCP: None**

UC8

**Lab Results**

None

**Imaging Results**

**CT humerus right without contrast (Final result) Abnormal**  
**Final result by Interface, Rad Results In (02/16/17 22:50:33)**

Result time: 02/16/17 22:50:33

Impression:

IMPRESSION:

1. No fracture or dislocation identified.
2. No gross soft tissue abnormality identified. MRI can be performed for further evaluation.

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED BY DMITRY BOLKHOVETS MD

Narrative:

EXAM:

CT Right Upper Extremity Without Intravenous Contrast.

CLINICAL HISTORY:

39 years old, male; Trauma, concern for torn biceps muscle

TECHNIQUE:

Axial computed tomography images of the right upper extremity without intravenous contrast. This CT exam was performed using one or more of the following dose reduction techniques: automated exposure control, adjustment of the mA and/or kV according to patient size, and/or use of iterative reconstruction technique.

Coronal and sagittal reformatted images were created and reviewed.

COMPARISON.

No relevant prior studies available.

FINDINGS:

Bones/joints: Unremarkable. No acute fracture. No dislocation.  
Soft tissues: Unremarkable.

**DX hand left PA and lateral (Final result)**

**Final result by Daniel Simon, MD (02/16/17 19:03:54)**

Result time: 02/16/17 19:03:54

Impression:

IMPRESSION: CORTICATED OSSIFIC DENSITY ALONG THE DORSAL ASPECT OF THE DISTAL THIRD METACARPAL. A SMALL AVULSION OR DISPLACED ACCESSORY OSSICLE IS NOT EXCLUDED. FOLLOW UP AS CLINICALLY INDICATED.

Narrative:

Left Hand Radiographs

Technique: 3 views were obtained.

History: Trauma.

Comparison: None available.

Findings: There is a 5 mm corticated ossific density along the dorsal aspect of the distal third metacarpal best noted on the lateral film. No erosive change is seen. The joint spaces are preserved. No concerning lytic or blastic osseous lesion.

**DX hand right PA and lateral (Final result)**

**Final result by Daniel Simon, MD (02/16/17 18:40:25)**

Result time: 02/16/17 18:40:25

Impression:

IMPRESSION: NO RADIOGRAPHIC EVIDENCE OF ACUTE FRACTURE OR DISLOCATION. FOLLOW UP AS CLINICALLY INDICATED.

Narrative:



## EXCLUSIVE

BY JOHN ANNESE  
and GRAHAM RAYMAN  
NEW YORK DAILY NEWS

TWO NYPD detectives accused of making up a tall tale to justify an illegal search in a Manhattan gun possession case could face additional charges for telling a similar lie in a Queens drug case, the Daily News has learned.

Detectives Kevin Desormeau and Sasha Cordoba, who were indicted on criminal charges Thursday in the Manhattan case, were sued by a Queens man who accused them of lying about seeing him peddle drugs.

That lawsuit cost the city a \$547,500 settlement in November. Court filings indicate the Queens District attorney's office is seeking to indict both detectives.

In a Jan. 19 letter to U.S. Magistrate Judge Vera Scanlon, the cops' lawyer James Moschella said Queens prosecutors "indicated they have begun or are imminently beginning to present these matters to a grand jury."

Sources said other cases in Queens involving the two detectives, who were assigned to the Queens South gang squad, are being reviewed.

The city's Law Department walked away from the two detectives in August, forcing them to seek their own lawyers.

The plaintiff in the Queens case, Roosevelt McCoy, 47, was playing pool in Yogi's restaurant on Guy R. Brewer Blvd. in Jamaica on Aug. 28, 2014, when the two detectives came in and ordered him outside, the lawsuit alleges.

They searched him, took him to a police precinct and strip-searched him, finding nothing either time.

Nevertheless, they told prosecutors they saw him dealing drugs, and claimed they found 7 grams of cocaine on him.

Desormeau repeated that allegation in a criminal complaint, in front of a grand jury and at a suppression hearing, but surveillance video shows he was lying, the lawsuit alleges. The video clearly showed he was not selling drugs, but playing pool the whole time, his lawyer Gabriel Harvis said.

The video also shows Cordo-

ba taking a bag belonging to McCoy which had about \$300 in cash in it. That bag was never vouchered or returned to him.

McCoy, who was held on Rikers Island for 52 days, had his case dismissed 19 months later in March 2016, the lawsuit said.

He filed a federal lawsuit a month later against the city, Desormeau, and Cordoba, who went by the last name Neve at the time. The city settled it in November for half a million bucks.

"He was lucky, but I can't imagine how many New York-

ers were not so lucky and they are sitting in jail," Harvis said.

On Thursday, a Manhattan grand jury indicted the two detectives on charges they lied repeatedly to prosecutors, a grand jury and in court papers in 2014 to get an indictment on gun charges against Jamel Choice, then 38, in Washington Heights.

"My hope is that this will send a message to other police officers who are contemplating fabricating evidence that there is no tolerance for it," Harvis said.

In 2016, Desormeau, 33, made \$87,791 in base pay and

another \$33,144 in overtime, records show. Cordoba also made \$87,791 in base pay in 2016, plus \$29,954 in overtime.

Desormeau was awarded the NYPD's Combat Cross, one of the department's highest honors, in 2011 for his role in a Queens gunfight. He traded gunfire with a suspect before cops disarmed and arrested him.

The NYPD's Internal Affairs Bureau is still investigating the two detectives, a police spokesman said Friday.

With Shayna Jacobs  
and Rocco Parascandola



# Bad cops: Part two

## Two facing new wrong-arrest rap

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